

**EPA / DEC MEETINGS
AUGUST 29 – 30, 2012
SEATTLE**

August 29, 2012	Sector	Attendees
1:30 p.m. – 3:00 p.m. Bitterroot Conf Room Meet-Me-Line <div style="border: 1px dashed black; padding: 2px; width: fit-content;">Nonresponsive Conference Code</div>	I. All Programs <ul style="list-style-type: none"> - Compliance / Enforcement - Permit - Water Quality Standards 	EPA: Ed Kowalski, Mike Bussell, Mike Lidgard, Jeff KenKnight, Lauris Davies, Angela Chung, Hanh Shaw, Kim Ogle, Rick Cool, Christine Kelly, Cindi Godsey, Dave Croxton, Dianne Soderlund (teleconference) DEC: Michelle Bonnet, Andrew Sayers-Fay, Sharon Morgan, Chris Foley, Wade Strickland, Gerry Brown, Nancy Sonafrank (teleconference)
3:15 p.m. – 4:30 p.m.	II. Upper Management Ed's Office (Dianne by phone)	EPA: Ed Kowalski, Lauris Davies, Mike Bussell, Dianne Soderlund (teleconference) DEC: Michelle Bonnet, Andrew Sayers-Fay
	III. Permit Programs Bitterroot Conf Room Meet-Me-Line (206) 553-4602	EPA: Mike Lidgard, Hanh Shaw, Cindi Godsey DEC: Wade Strickland, Gerry Brown, Allan Nakanishi and Shawn Stokes (teleconference)
	IV. Compliance and Enforcement Programs Kenai Conf Room	EPA: Jeff KenKnight, Kim Ogle, Rick Cool DEC: Chris Foley, Sharon Morgan
August 30, 2012		
8:15 a.m. – 10:00 a.m.	V. Compliance and Enforcement Programs Denali Conf Room	EPA: Ed Kowalski, Lauris Davies, Kim Ogle, Jeff KenKnight, Rick Cool DEC: Michelle Bonnet, Andrew Sayers-Fay, Chris Foley,

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		Sharon Morgan
8:15 a.m. – 11:45 a.m.	VI. Permit Programs Quinault Conf Room Meet-Me-Line <small>Nonresponsive Conference Code</small>	EPA: Mike Lidgard, Hanh Shaw, Cindi Godsey DEC: Wade Strickland, Gerry Brown. Shawn Stokes and Allan Nakanishi (teleconference)
10:15 a.m. – 11:45 a.m.	VII. Compliance and Enforcement Programs Denali Conf Room	EPA: Jeff KenKnight, Kim Ogle, Rick Cool DEC: Chris Foley, Sharon Morgan
10:15 a.m. – 11:45 a.m.	VIII. Water Quality Standards Mike Bussell's Office	EPA: Mike Bussell, Angela Chung DEC: Michelle Bonnet, Andrew Sayers-Fay, Nancy Sonafrank (teleconference)
11:45 a.m. – 1:00 p.m.	LUNCH	
1:00 p.m. – 2:00 p.m.	IX. Nonpoint source Dave Croxton's Office	EPA: Dave Croxton, Jayne Carlin DEC: Nancy Sonafrank, Cindy Gilder (teleconference)
1:00 p.m. – 3:00 p.m.	X. Compliance and Enforcement Programs Denali Conf Room	EPA: Jeff KenKnight, Kim Ogle, Christine Kelly, Rick Cool DEC: Chris Foley, Sharon Morgan, Michelle Bonnet, Andrew Sayers-Fay

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AUGUST 29

1:30 p.m. – 3:00 p.m. (PST)

<p>I. All Programs</p>	<p>EPA: Ed Kowalski, Mike Bussell, Mike Lidgard, Jeff KenKnight, Lauris Davies, Angela Chung, Hanh Shaw, Kim Ogle, Rick Cool, Christine Kelly, Dave Croxton, Cindi Godsey, Dianne Soderlund (teleconference)</p> <p>DEC: Michelle Bonnet, Andrew Sayers-Fay, Sharon Morgan, Chris Foley, Wade Strickland, Gerry Brown, Nancy Sonafrank (teleconference)</p>
<ul style="list-style-type: none"> ➤ Introductions ➤ Clean Water Act Action Plan ➤ Performance Partnership Agreement ➤ Performance Partnership Grant ➤ State Review Framework/Permit Quality Review ➤ Phase IV transfer [NPU & DEC] 	<p>New staff in new positions [Directors]</p> <p>Overview [Lauris]</p> <p>Highlights [Michelle/Ed]</p> <p>Workplan highlights [Sharon]</p> <p>Status/ timelines [Lauris & NPU]</p>

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**August 29 - Break Out Meetings
3:15 p.m. – 4:30 p.m.**

II. Upper Management	EPA: Ed Kowalski, Lauris Davies, Mike Bussell, Dianne Soderlund (teleconference) DEC: Michelle Bonnet, Andrew Sayers-Fay
➤ Performance Partnership Agreement	Management oversight [Mike, Ed/Lauris, Michelle/Andrew]
➤ 80 Native Villages	Agencies' approach / coordinated message [Same as above]
➤ Enforcement in Alaska	Agencies' approach / coordinated message [Ed/Lauris, Michelle/Andrew]

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**August 29 - Break Out Meetings
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III. Permit Programs	EPA: Mike Lidgard, Hanh Shaw, Cindi Godsey (teleconference?) DEC: Wade Strickland, Gerry Brown. Shawn Stokes (seafood) and Allan Nakanishi (mining) teleconference
<ul style="list-style-type: none">➤ Permit Issuance Plan Overview➤ Permit Sector Overviews:<ul style="list-style-type: none">○ Domestic○ Miscellaneous Industrial○ Asplund 301(h) waiver○ 80 Native Villages<ul style="list-style-type: none">▪ Small community approach○ EPA approach for other 301(h) waiver communities in AK (e.g. Haines, Ketchikan, etc)○ Seafood○ Mining Sector○ Oil and Gas➤ Bristol Bay Watershed Assessment➤ Phase IV facilities / oil and gas	

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**August 29 – Break Out Meetings
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IV. Compliance and Enforcement Programs

EPA: Jeff KenKnight, Kim Ogle, Rick Cool

DEC: Chris Foley, Sharon Morgan

NOTE: To extent agenda item discussion outstrips available time, agenda items will move into the Thursday 10:15-11:45 and 1:00-3:00 slots.

- Enforcement cases update **[est. 45 min]**
 - Status of existing / new cases
 - Preview DEC's Formal Enforcement Case Tracking Sheet
- DEC Standard Operating Procedures / guidance – update **[est. 45 min]**
 - Results of DEC staff interviews – what performance limiting factors identified?
 - What SOPs are being developed?
 - Prioritization of SOPs development and time tables
- DEC Compliance Committee meetings **[est. 15 min]**
 - Recent frequency of meetings
 - Discuss pros/cons of regularly scheduled meetings
- DEC Expedited Settlement Offer (ESO) Procedures **[est. 15 min]**
 - Status of development
 - Discussion of criteria for its use
 - Sector-specific pilot project under consideration?
 - Penalty determinations – economic benefit determinations and documentation
- DEC 2013 Inspection Planning **[est. 30 min]**
 - Capacity to meet CMA strategy?
- Criteria to identify areas where DEC could request EPA assistance **[est. 15 min]**
 - Discuss what this means
 - Is this technical assistance from EPA?
 - Is this enforcement referrals from DEC to EPA?
 - Target specific sectors?

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8:15 a.m. – 10:00 a.m.

V. Compliance and Enforcement Programs Agencies' Approach	EPA: Ed Kowalski, Lauris Davies, Kim Ogle, Jeff KenKnight, Rick Cool DEC: Michelle Bonnet, Andrew Sayers-Fay, Chris Foley, Sharon Morgan
<ul style="list-style-type: none">➤ Enforcement Approach in Alaska<ul style="list-style-type: none">○ DEC's approach [Michelle, Andrew, Sharon, Chris]<ul style="list-style-type: none">▪ Enforcement philosophy▪ Identification of performance limiting factors▪ SOP priorities▪ Discussion of capacity to address CMA inspection goals and increased formal enforcement action expectations▪ Any sector-based C&E strategies under consideration?○ EPA's approach [Ed, Lauris, Jeff & Kim]<ul style="list-style-type: none">▪ What is EPA's process for formal enforcement?▪ Who has final authority regarding strategy?▪ What is EPA's approach after Phase IV transfer?○ Joint approaches identifying all available mechanisms (CWA Action Plan efforts) [Ed, Lauris, Jeff & Kim]➤ Agencies develop a common message regarding compliance and enforcement in Alaska [DEC & Ed, Lauris, Jeff & Kim]➤ What is the role of penalties? [DEC & Ed, Lauris, Jeff & Kim]<ul style="list-style-type: none">○ DEC's penalty approach and viewpoints on role	

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VI. Permit Programs	EPA: Mike Lidgard, Hanh Shaw, Cindi Godsey DEC: Wade Strickland, Gerry Brown
<ul style="list-style-type: none">➤ Phase IV<ul style="list-style-type: none">○ Confirm list of facilities to transfer➤ Capacity Building efforts➤ More specific agenda items TBD	

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VII. Compliance and Enforcement Programs

EPA: Jeff KenKnight, Kim Ogle, Rick Cool, Christine Kelly

DEC: Chris Foley, Sharon Morgan

Quarterly meeting continued . . . NOTE: To extent agenda item discussion outstrips available time, agenda items will move into the Thursday 1:00-3:00 slot.

- Phase IV capacity building **[DEC] [est. 10 min]**
 - Any data entry capacity limitations identified or if so, resolution?
- Seafood Processors **[Jeff, Chris G & Rob G] [est. 15-30 min]**
 - Dutch Harbor facilities
 - Unisea Consent decree
 - Other Dutch Harbor majors
 - Joint inspections?

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VIII. Water Quality Standards	EPA: Mike Bussell, Angela Chung, EPA? DEC: Michelle Bonnet, Andrew Sayers-Fay, Nancy Sonafrank (teleconference)
<ul style="list-style-type: none"> ➤ Resolving issues with past WQS packages ➤ Develop schedule to address WQS packages <ul style="list-style-type: none"> ○ PPA commitment ○ FY14-15 clean up schedule ➤ Antideg regulations coordination ➤ National issues to track ➤ Other? 	

11:45 a.m. – 1:00 p.m. – LUNCH

August 30

1:00 p.m. – 2:00 p.m.

IX. Nonpoint Source	EPA: Dave Croxton, Jayne Carlin DEC: Sharon Morgan, Nancy Sonafrank and Cindy Gilder (tele)
<ul style="list-style-type: none"> ➤ Continued EPA contractor funding for TMDL development – not TMDL implementation, so support needed from EPA ➤ Listing methodology development – not TMDL implementation ➤ Updating Nonpoint Source Strategy – not TMDL implementation, but mandated in 319 Study ➤ Increasing the percentage of 319 incremental funds to implement watershed-based restoration plans – 319 Study focus 	

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X. Compliance and Enforcement Programs	EPA: Jeff KenKnight, Kim Ogle, Rick Cool, Christine Kelly DEC: Chris Foley, Sharon Morgan, Michelle Bonnet, Andrew Sayers-Fay
<ul style="list-style-type: none">➤ Data Metrics Analysis for FY 2011 [Christine Kelly] [est. 30 min]<ul style="list-style-type: none">○ DEC responses to OCE inquiries➤ SRF Question and Answer Session [Christine Kelly] [est 30+ min]➤ Watch List [Jeff & Kim] [est. 15 min]<ul style="list-style-type: none">○ How does a facility get off the list?○ Red Dog Mine○ Kensington	